

ESTTA Tracking number: **ESTTA303887**

Filing date: **09/01/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92050129
Party	Plaintiff PRESTOLITE WIRE LLC
Correspondence Address	LINDA E. SUDZINA RADER, FISHMAN & GRAUER PLLC 39533 WOODWARD AVENUE, SUITE 140 BLOOMFIELD HILLS, MI 48304 UNITED STATES lem@raderfishman.com, interpartesparalegals@raderfishman.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Linda E. Monge
Filer's e-mail	lem@raderfishman.com, interpartesparalegls@raderfishman.com, mdf@raderfishman.com
Signature	/Linda E. Monge/
Date	09/01/2009
Attachments	20090901101344350.pdf ( 2 pages )(122130 bytes )

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**TRADEMARK TRIAL AND APPEAL BOARD**

PRESTOLITE WIRE LLC,

Petitioner,

v.

HAYS AUTOMOTIVE, INC.

Cancellation No.: 92050129

Registration No.: 2,772,755

Mark: HAYS AUTOMOTIVE

Respondent.

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**UNOPPOSED MOTION TO SUSPEND AND RESET**  
**DISCOVERY AND TESTIMONY PERIODS**

Petitioner, through its below attorneys, hereby moves the Board for a sixty (60) day suspension of the proceeding. In addition, pursuant to 37 CFR §2.121(d), Petitioner requests the discovery and testimony periods be extended by sixty (60) days.

Pursuant to the grant of this Motion, the new dates would be as follows:

Initial Disclosures Due	11/5/2009
Expert Disclosures Due	3/5/2010
Discovery Closes	4/4/2010
Plaintiff's Pretrial Disclosures	5/19/2010
Plaintiff's 30-day Trial Period Ends	7/3/2010
Defendant's Pretrial Disclosures	7/18/2010
Defendant's 30-day Trial Period Ends	9/1/2010
Plaintiff's Rebuttal Disclosures	9/16/2010
Plaintiff's 15-day Rebuttal Period Ends	10/16/2010

Petitioner and Respondent, Hays Automotive, Inc., are currently evaluating terms of a potential settlement. The extended dates will give the parties the opportunity to negotiate such settlement. In view of the foregoing, good cause has been shown for this request and it is respectfully requested that this Motion be granted.

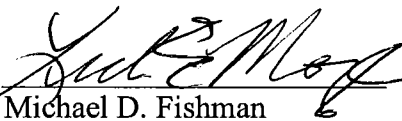
Counsel for Respondent, Peter Bromaghim has consented to this Motion.

Respectfully submitted,

RADER, FISHMAN & GRAUER PLLC

Date: September 1, 2009

By:



Michael D. Fishman

Linda E. Monge

39533 Woodward Avenue, Suite 140

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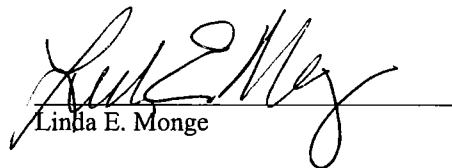
Tel: 248-594-0600

Fax: 248-594-0610

CERTIFICATE OF SERVICE

I hereby certify that on the 1<sup>st</sup> day of September, 2009, this UNOPPOSED MOTION TO SUSPEND AND RESET DISCOVERY AND TESTIMONY PERIODS is being deposited with the United States Postal Service as First Class mail, postage paid, in an envelope addressed to counsel for Respondent as follows:

Peter B. Bromaghim  
Nordman, Cormany, Hair & Compton  
1000 Town Center Dr., 6<sup>th</sup> Floor  
Oxnard, CA 93031



Linda E. Monge